

To Advertisers & the Public

THE DAILY BRITISH COLONIST, published every morning (Sundays excepted), is the largest and most widely circulated paper in the Colony. It contains the latest news from all parts of the world, and is a valuable source of information to all who are interested in the progress of the Colony. It is published at the residence of the Proprietor, at the corner of the Market and Queen Streets, and is delivered to all subscribers by the carrier.

JOB PRINTING.

THE BRITISH COLONIST, in addition to their stock of new and beautiful lettering type, will execute orders to any extent with neatness and dispatch, at a slight advance on San Francisco prices.

BIRTHS, DEATHS, AND MARRIAGES.

In future all notices of Births, Deaths, and Marriages intended for insertion in this paper must be sent to the printer, at the residence of the Proprietor, at the corner of the Market and Queen Streets, and be accompanied by the necessary fees.

THE JURY SYSTEM.

There are a great many excellent things which we borrow from English law, but there are some very foolish if not indeed mischievous ones. Of the latter class we may, we think, safely put down the unanimous verdict in criminal cases. There is scarcely an Assize Court held in either colony but discloses the defective character of our jury system. We see a dozen of men locked up because they cannot agree, and in the hope that confinement may force them into unanimity. This sometimes has not the desired effect, and the jury is discharged, the prisoner is remanded, the witnesses go home, and the whole thing is gone into de novo at a future date, with an additional expense to the individual and to the country. Now, in the first place, the system, with all its apparent mercy, is to the prisoner really the most unjust; for it tends to prolong his incarceration when he is still, in the eyes of the law, an innocent man. It is unreasonable, and even brutal to the jury, for it relies on force to extort an opinion, as the Inquisition of old relied on torture to extract a confession. The result in the one case is the same as in the other. Men's lives or property are at the mercy of physical strength. If the jurymen is weak, and cannot bear confinement or long fasting, he is most likely in the end to yield, and matter achieves a victory over mind and morality.

In this age of enlightenment we can scarcely conceive a more barbarous and irrational scheme of jurisprudence. If we attempted to carry the same principle into Legislative Assemblies, City Councils, or deliberative bodies of any sort, we should be (and justly) charged with lunacy. And yet the object of the jury is the exact same object as that of the Assembly—to arrive at truth and act upon it. To elicit this truth, the juror has all the evidence brought out by examination and cross-examination, and by way of a clarifier has the succinct and careful charge of the judge. While the weight of all this is resting on his mind, he exchanges ideas with his fellow-jurymen—listens to what they have got to say and gives his opinion. This differs from the opinions of the others; and for this offence they as well as he are locked up. Now the question resolves itself into not who has the clearest notion of the case, which is under deliberation, but who has got the strongest constitution, and the greatest determination. If there are a number of men of this class on the jury the chances are that they will, under the looking up system, bully the rest into compliance—which simply means that they will tire their fellow-jurors into perjury. For it certainly stands to reason that if a man swears to give his decision to the best of his ability, the opinion which he forms when the whole case is fresh before him is an honest opinion, and if he is induced to change it through the fear of losing his liberty or his customary meals, we can only come to the conclusion that he has gone in direct contradiction to his oath. Thus, then, we see the effect of this compulsory unanimity is unjust to the prisoner, unjust to the jury, and unjust to the country. It makes, in fact, the intelligence and integrity of the juror subordinate to their appetite or constitution.

Bad as the principle is in populous countries, the evil becomes intensified in small communities. In the latter places it is almost impossible to find a man charged with a crime who has not got some friends who, if they became jurors, would not stick out to the last in his defence. In a community like our own, as we have in former times pointed out, where society is split up into fragmentary associations or clanlike coteries, the difficulty of obtaining a unanimous verdict is almost beyond the bounds of possibility. The consequence is that the laws of the country are virtually set at defiance, or as we have stated above, the prisoner is retained a longer period in confinement while his guilt is still merely matter of conjecture. This must surely appear iniquitous to even the least discerning. With all our veneration for the customs of our forefathers, we think the time has arrived when we should evince less of the Chinese worship of the past and more of the practical tendencies of the present. In this respect we had better take a leaf from the Scotch with their majority system. We have already abolished the unanimous jury in civil cases; let us have a scheme equally decisive in our criminal courts. Let us have a verdict from twelve out of fifteen—or some such proportion—a final verdict that will waste no time, outrage no sense of decency or justice by the locking up of the jury, and retain the prisoner in suspense not a single day longer than there is absolute necessity for. At present as the law stands there is really no definite end to a disagreeing jury. The general custom is, but there is no specific law on the subject, to lock the jurors up for six hours, and if by that time they are not unanimous to lock them up still further or discharge them. A fresh set of men are then empanelled, and the whole case is gone over again, with probably similar results. If we take a three-fourths or four-fifths verdict, we finish the case at once, and acquit or convict the prisoner. We have then the uncorroborated and honest opinion of the great bulk of the jurors—we have the time of the court, of the witnesses, and of the jury themselves saved—and lastly, we have a better guarantee of justice than we ever can by any possible means have by our present antiquated and irrational system of unanimous verdicts.

NEW ADVERTISEMENTS.

NOTICE.

THE PUBLIC ARE HEREBY NOTIFIED that from this date I will not be responsible for any debts contracted by any person without my written order.

NOTICE.

Estate of Joseph Maria Morris—Assignment.
ALL CREDITORS ON THIS ESTATE are requested to furnish their claims to the undersigned on or before Saturday, the 9th instant, otherwise they will be excluded from any benefit in the dividend payable hereon on Monday, the 11th instant.

W. H. H. ADAMSON, Assignee.
Government street, Victoria, V. I., December 6, 1865.

FRENCH and SPANISH.

Mons. DEFFIN, GRADUATE OF THE Academie de Paris, Professor of Languages. has opened Classes in French and Spanish. Those who have had a good deal of experience in teaching, his mode of tuition being easy and effective, will be found to give satisfaction. Having lived in various parts of Mexico, including the Metropolitan, Mazatlan, &c., and being more especially a Professor of the Spanish Language, he is enabled to instruct in a very short time persons intending to proceed to Mexico, in the Spanish language, by which they will be enabled to speak fluently. Address—Langley street, next door to the Corner Office.
Victoria, V. I., December 6, 1865.

WANTED.

WANTED, WHERE A CHINESEMAN is kept as a man to do general work in and out of doors, and a woman or girl as housemaid and to be with children; a man and his wife would suit.
Apply at the Attorney General's Office, Government street, or at his house, Ross Bay.

COKE:

THE PRICE OF COKE REDUCED
From One Dollar to
50 Cents per Barrel.
For sale at the GAS WORKS.

FOUND.

A BLACK ENAMELLED DIAMOND Ring. The owner can have the same by returning property and paying expenses of advertising. Apply at Richardson's Hotel, Langley street.

TOYS! TOYS!!

S. SINN

TAKES PLEASURE IN INFORMING the inhabitants of Victoria, British Columbia and Washington Territory, that he has just received direct from Europe, a very large assortment of

Toys & Fancy Goods,

Consisting of
OVER 2,000

WAX, PATENT

CHINA, PASTE

AND HEAD

SEWING MACHINES!

From \$4.50 to \$5.00.

Violins, Guitars, Hobby Horses, Chair and

Cradle Horses, Carriages, Fancy Work

Boxes, Candy Boxes—a very large assort-

ment; Portfolios, Ladies' Companions,

China Vases and Fancy Ornaments, patent

Negro Dancers, and a large assortment of

Cosmorama, with views of all the principal

Cities in Europe; also Accordions, Parlor

and Ice Skates and Sleighs, and a great

variety of other goods, too numerous to

mention; all of which will be sold at

Greatly Reduced Prices.

Note the address,
S. ZINN,
GOVERNMENT STREET
(Opposite Tronoe Alley.)

FOR SALE.

A RARE CHANCE FOR INVESTMENT.

THE PROPERTY ON YATES STREET,

known as the

BALL COURT HOTEL,

Will suit, 1865, as a residence or for land cultivation, containing about 500 Fruit Trees, situated over the second Esplanade bridge, on the Craigflower road, will be sold cheap if early application be made to the proprietor, who is desirous of leaving the colony, and from whom further particulars can be obtained.

P. BUCKLEY,
del 1m Ball Court Hotel, Yates street.

A. GILMORE,

Merchant Tailor, Yates street, wishes

to inform his friends and the public

that he will commence, on Saturday,

October 7th, to sell his entire stock

of Clothing, Cloths, Cassimeres and

Vestings at cost, to close the business

in the shortest time possible. Terms

Cash. Also his new fireproof Brick

Store and Fixtures, for sale cheap for

Cash.

DO, PAPA!

Buy me a Musical Box,

AT

BAGNALL'S MUSIC STORE,

OCCIDENTAL BUILDING, FORT STREET.

Coal! Coal!

COAL.

D. KAVANAGH & CO.

REG TO INFORM THERE NUMEROUS

customers and the public that they have just

received a large supply of

NANAIMO COAL.

And having made arrangements for a continuance of the same during the winter season, are enabled to execute all orders entrusted to them with

Punctuality and Dispatch.

HIDGE WHARF,
December 1st, 1865.

NEW ADVERTISEMENTS.

AUCTION.

Thursday, Dec. 7th,

AT 11 O'CLOCK, A. M.,

LIQUORS

We are instructed to clear,

WITHOUT RESERVE,

AT OUR ROOMS,

Fort Street near Wharf.

—ON—

Most Liberal Terms!

The following

LIQUORS!

9 qr casks Hennessy Brandy;

7 qr " Martell do

6 qr " United Vineyard Proprietors do;

40 cases Swaine Board & Co's Old Tom;

65 cases George Sayers & Co's Cognac;

25 cases Campbelltown Whisky;

3 punch Jamaica Rum, 35 o. p.

5 qr casks Stuart's Islay Whisky;

3 hhds and 2 qr casks fine old Port;

20 hhds Tennant's Ale;

25 cases Tennant's Porter, quarts;

3 qr casks fine Amontillado Sherry;

30 cases three diamond Port Wine;

16 cases Club Sherry;

20 cases Jaqueson Champagne;

10 qr casks Swaine Board Old Tom;

Etc., Etc., Etc.

Terms and particulars with cata-

logues on day of sale.

Daniel Scott & Co.,
del Auctioneers

London House,

November 21, 1865.

OUR IMPORTATIONS FOR THIS

season are now completed by the ar-

rival

EX "DELAWARE,"

—AND—

"BREWSTER,"

—OF—

\$8,000 WORTH OF GOODS!

Consisting of all the London and Paris

Novelties.

FURS.

Sable, Mink, Chinchilla, Alexandras, and

New York Capes, Cuffs and Muffs to

match.

STEAMSHIP

"ACTIVE"

CAPTAIN THORN,

Will sail for

PORTLAND,

On Wednesday Morning, at 8 o'clock,

precisely, connecting with steamship for San Fran-

cisco. For freight or passage apply on board.

ISLAND ALE!

Island Barley!

AND

Island Hops!

IN

Island Casks!

BUNSTER.

Look! Look! Look!!

THE 'NEW IDEA'

CONCERT ROOM

Patrick's Cellar, corner Govern-

ment and Johnson streets.

Where will appear a host of

LADY GENTLEMEN

PERFORMERS.

Come One! Come All!

For further particulars see bills of the day.

J. BAGNALL,

Piano-Forte Tuner,

AND

Music Seller!

Occidental Building, Fort street,

HAN JUST RECEIVED, EX ANN

Admission, direct from Collard & Collard,

London, Rosewood Demi-grand Piano, Mallogany

Grand Piano, Mahogany Grand Square Piano,

Rosewood Cottage Piano, Pianofortes and Har-

moniums by Collard, Kirkman, Alexander, Murphy,

Rogers, and other eminent makers, for sale or hire.

NEW MUSIC direct from the publishers every

month. Violon and Guitar Strings, Musical Instru-

ments, and everything pertaining to the music

business.

Trains moved by covered spring van on the Lon-

don principle.

NEW ADVERTISEMENTS.

AUCTION.

Saturday, Dec. 9th,

AT 11 O'CLOCK, A. M., SHARP,

ADMINISTRATOR'S

SALE.

—

Estate Richard Smith

—

We are instructed by

MR. ROBT. PORTER,

—TO SELL—

ON THE PREMISES,

LAKE DISTRICT,

About four miles from Town, all the effects,

in part as under:

4 Hogs;

1 Sow and 10 young Pigs;

Lot of Oats and Barley;

Lot of Cooking Utensils;

Plough and Plough Harness;

Cart and Harness;

Lot of Turnips and Potatoes;

1 Fanning Mill;

2 Bolders;

1 Saddle and Bridle;

1 lot Harness;

1 Silver Watch;

5 Saws; Books; Furniture;

&c., &c., &c.

TERMS CASH.

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